IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

Bail Appl..No. 5490 of 2007()

(CRIME NO.585/2004 OF MALAPPURAM POLICE STATION)

PETITIONER/2ND ACCUSED

ABDUL SALAM.K.P.
KANGATTUPARACKAL HOUSE,KADANNAMANNA AMSOM,
KARKADAKOM DESOM,MANKDA P.O. MALAPPURAM DISTRICT.

BY ADV. SRI.DEVIDAS.U.K

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY
SUB INSPECTOR OF POLICE,MALAPPURAM,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

- -

B.A.No. 5490 of 2007

- -

Dated this the 11th day of September, 2007

O R D E R

Second application for anticipatory bail. An earlier application for anticipatory bail was dismissed by another Bench of this court as per order dt. 31.8.2007 in B.A.No. 5354 of 2007. That order remains unchallenged.

2. The petitioner who has come to this Court again within five days of the dismissal of the earlier application is bound to apprise the court of the change in circumstances which justify a subsequent application for anticipatory bail. No such reasons are urged or advanced at all. I am, in these circumstances, not satisfied that this second application for anticipatory bail deserves to be considered on merits.

3. This application is accordingly dismissed. Needless to say, the option of the petitioner to surrender before the Investigating Officer or the learned Magistrate and seek regular bail shall remain unfettered. If the petitioner so appears and applies for bail, needless to say, the learned Magistrate must proceed to pass orders on merits, in accordance with law and expeditiously.

(R. BASANT)

tm Judge